## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

JESSICA LANGFORD,	)	
	)	
Plaintiff,	)	
	)	
<b>v.</b>	)	Case No. 4:18-cv-2037HEA
	)	
CITY OF ST. LOUIS, MISSOURI,	)	
	)	
Defendant.	)	

## AMENDED/MODIFIED OPINION OF DECLARATORY JUDGMENT AND INJUNCTION, AND PARTIAL STAY

For good cause shown, pursuant to F.R.Civ.P. 62(c), on joint motion of the parties, it is ORDERED that the declaratory judgment and permanent injunction heretofore entered by this Court [ECF 63] is modified to add the following:

- 1. It is declared that enforcement of § 17.16.275(E) of the Revised Code of the City of St. Louis is unconstitutional and is enjoined insofar as such enforcement is premised on an alleged violation of § 17.16.275(A) of said Revised Code.
- 2. Pending disposition of the defendant City's appeal, the declaratory judgment and permanent injunction, as modified herein, is stayed only as to enforcement of §17.16.275(E) premised on an alleged violation of §17.16.275(A), on the conditions that (a) no order to move or disperse pursuant to §17.16.275(E) shall be issued by any officer or agent of defendant City absent actual blockage of traffic, and (b) orders to move or disperse will comply with the criteria set forth in paragraph 5 of the preliminary injunction entered in *Ahmad v. City of St. Louis*, No. 4:17-cv-2455, viz., officers and agents of defendant City shall not "Issue orders or use chemical

agents, whatever the method of deployment, for the purpose of dispersing person(s) engaged in expressive, non-violent activity in the City of St. Louis without first: specifying with reasonable particularity the area from which dispersal is ordered; issuing audible and unambiguous orders in a manner designed to notify all persons within the area that dispersal is required and providing sufficient warnings of the consequences of failing to disperse, including, where applicable, that chemical agents will be used; providing a sufficient and announced amount of time which is proximately related to the issuance of the dispersal order in which to heed the warnings and exit the area; and announcing and ensuring a means of safe egress from the area that is actually available to all person(s)"; Provided, however, that paragraph 5 does not apply to situations where persons at the scene present an imminent threat of violence or bodily harm to persons or damage to property, or where law enforcement officials must defend themselves or other persons or property against imminent threat of violence.

3. In all other respects, the declaratory judgment and permanent injunction remains in full force and effect.

Dated this 12th day of March, 2020.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE

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